

Notice of Allowability

Application No.

10/007,387

Examiner

Dennis G. Bonshock

Applicant(s)

BARROS, BARBARA L.

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the Terminal Disclaimer filed 9-30-2005.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

RAYMOND J. BAYERL
PRIMARY EXAMINER
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Terminal Disclaimer

The terminal disclaimer filed on 9-30-2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. Patent No. 6,307,573 has been reviewed and is accepted. The terminal disclaimer has been recorded.

The terminal disclaimer overcomes the previous double patenting rejection because the rejection was improperly made as a 101 type double patenting rejection. It should have been made as a nonstatutory obviousness-type double patenting as being unpatentable over U.S. Patent No. 6,307,573.

Allowable Subject Matter

Claims 1, 5 and 8 are allowed. Claims 2-4, 6-7, and 9-10 are further limit allowed independent claim 1, 5 and 8, respectively.

The following is an examiner's statement of reasons for allowance:

The Examiner has carefully considered each of the three independent claims 1, 5, and 8. None of the prior arts of record discloses or suggest any of a data processing system for organizing, retrieving, and displaying data comprising: a database and associated software for storing, organizing, and retrieving data about elements and their attributes', a display for displaying a visual representation of selected subset elements for comparison with: 1) each of the different, user selected subsets given its own symbol

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or common image format and 2) each element's symbol or image given a slot on the display wherein the slot may be: i) designated by x, y, and z locations representing its real or symbolic relationship to other elements or ii) within a grid: and control for showing and hiding subsets on the visual representation which include: display control panels) with graphic and text-list selectors that, in response to user events or automatic updating system, call to the database to determine subset elements to be added and subtracted from the visual representation (see claim 1). The prior art of records does not disclose or suggest in combination in a program controlled data processing system for implement an infrastructure for presenting a collection of user selected information elements to facilitate translation of complex topical data to an enhanced display format comprising: display control panels for receiving user commands and implementing a selective layering of data in the form of graphics, text and/or images onto a base representation wherein control panel includes control icons and/or text lists for manipulating the content of selective layers in accord with user defined objectives', a database comprising one or more data elements for use in providing the substance to layered data; a central display controller in communication with database and control panel for interpreting commands received by control panel and directing the placement of data elements in accordance with a preprogrammed hierarchy, and said display interconnected to central display controller for receiving image data including a base image and one or more selected layers for visual perception by user (see claim 5). In addition, the prior art of record fail to suggest in combination in a display management system for displaying complex data elements with said system comprising: a first

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database having a plurality of data elements on a subject and its graphic information wherein elements are stored in volatile memory and first database capable of being refreshed with current data from a second database', a display processor characterized that provide one or more users with control icons on display for selectively recalling collections of data wherein icons further arranged in hide-able panels', a communication for linking first database with second database to provide refreshed data elements therefrom', and a display for providing a multi-dimensional representation of selected data element layers in accordance with user commands and program controlling logic (see claim 8).

Corona et al. (USPN: 5,475,812) is cited for controlling of multiple planes in multiple windows environment. Corona, however, does not disclose any of designated by x, y, and z locations representing its real or symbolic relationship to other elements or ii) within a grid: and control for showing and hiding subsets on the visual representation which include: display control panels with graphic and text-list selectors that, in response to user events or automatic updating system, call to the database to determine subset elements to be added and subtracted from the visual representation OR directing the placement of data elements in accordance with a pre-programmed hierarchy, and display interconnected to central display controller for receiving image data including a base image and one or more selected layers for visual perception by user OR in combination in a display management system for displaying complex data elements relating to subjects wherein data elements includes three-dimensional graphics and/or images comprising: a first database having a plurality of data elements

on a subject and its graphic information wherein elements are stored in volatile memory and first database capable of being refreshed with current data from a second database', a display processor characterized that provide one or more users with control icons on display for selectively recalling collections of data wherein icons further arranged in hide-able panels, communication for linking first database with second database to provide refreshed data elements, therefrom, and display for providing a multi-dimensional representation of selected data element layers in accordance with user commands and program controlling logic.

Like Corona et al., Marusak (USPN: 5,592,604) discloses window data with its corresponding subsets. Marusak also lacking of suggesting any of any of designated by x, y, and z locations representing its real or symbolic relationship to other elements or ii) within a grid: and control for showing and hiding subsets on the visual 'representation which include: display control panels) with graphic and text-list selectors that, in response to user events or automatic updating system, call to the database to determine subset elements to be added and subtracted from the visual representation OR directing the placement of data elements in accordance with a pre-programmed hierarchy', and display interconnected to central display controller for receiving image data including a base image and one or more selected layers for visual perception by user OR in combination in a display management system for displaying complex data elements relating to subjects wherein data elements includes three-dimensional graphics and/or images comprising: a first database having a plurality of data elements

on a subject and its graphic information wherein elements are stored in volatile memory and first database capable of being refreshed with current data from a second Database, a display processor characterized that provide one or more users with control icons on display for selectively recalling collections of data wherein icons further arranged in hide-able panels; a communication for linking first database with second database to provide refreshed data elements therefrom', and display for providing a multi-dimensional representation of selected data element layers in accordance with user commands and program controlling logic.

Grau et al. (USPN: 5,910, 803) and Marvin (USPN: 5,864,337) are cited for system and method for collecting and organizing hierarchical collection items in atlas map view. Grau and Marvin, however, do not disclose or suggest any of call to the database to determine subset elements to be added and subtracted from the visual representation OR in combination in a program controlled data processing system for implement an infrastructure for presenting a collection of user selected information elements to facilitate translation of complex topical data to an enhanced display format comprising: a display control panels for receiving user commands and implementing a selective layering of data in the form of graphics, text and/or images onto a base representation wherein control panel includes control icons and text lists for manipulating the content of selective layers in accord with user defined objectives', database comprising one or more data elements for use in providing the substance to layered data; central display controller in communication with database and control panel for interpreting commands received. By control panel and directing the placement

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of data elements in accordance with a preprogrammed hierarchy, and display interconnected to central display controller for receiving image data including a base image and one or more selected layers for visual perception by user OR in combination in a display management system for displaying completes data elements relating to subjects wherein data elements includes three-dimensional graphics and/or images comprising: a first database having a plurality of data elements on a subject and its graphic information wherein elements are stored in volatile memory and first database capable of being refreshed with current data from a second database', a display processor characterized that provide one or more users with control icons on display for selectively recalling collections of data wherein icons further arranged in hide-able panels', communication for linking first database with second database to provide refreshed data elements therefrom', and display for providing a multi-dimensional representation of selected data element layers in accordance with user commands and program controlling logic.

None of Jackson (USPN: 5,894,311) and Spague et al. (USPN: 5,596,500) disclose or suggest any of call to the database to determine subset elements to be added and subtracted from the visual representation OR in combination in a program controlled data processing system for implement an infrastructure for presenting a collection of user selected information elements to facilitate translation of complex, topical data to an enhanced display format comprising: a display control panels for receiving user commands and implementing a selective layering of data in the form of graphics, text and/or images onto a base representation wherein control panel includes

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control icons and text lists for manipulating the content of selective layers in accord with user defined objectives', database comprising one or more data elements for use in providing the substance to layered data; central display controller in communication with database and control panel for interpreting commands received by control panel and directing the placement of data elements in accordance with a preprogrammed hierarchy, and display interconnected to central display controller for receiving image data including a base image and one or more selected layers for visual perception by user OR in combination in a display management system for displaying completes data elements relating to subjects wherein data elements includes three-dimensional graphics and/or images comprising: first database having a plurality of data elements on a subject and its graphic information wherein elements are stored in volatile memory and first database capable of being refreshed with current data from a second database', a display processor characterized that provide one or more users with control icons on display for selectively recalling collections of data wherein icons further arranged in hide-able panels; communication for linking first database with second database to provide refreshed data ,elements therefrom', and display for providing a multi-dimensional representation of selected data element layers in accordance with user commands and program controlling logic.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

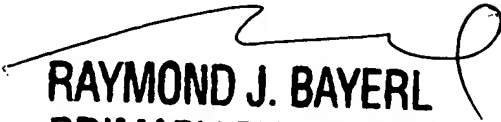
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G. Bonshock whose telephone number is (571) 272-4047. The examiner can normally be reached on Monday - Friday, 6:30 a.m. - 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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dgb



**RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173**